

CIVIL ACTION NO. _____

NOTICE OF REMOVAL

2. Defendant McClatchy Newspapers, Inc. was served via undersigned counsel with Plaintiff's Second Amended Complaint on June 23, 2017.

3. Also on June 23, 2017, Defendant Jordan was served with Plaintiff's Second Amended Complaint. Jordan joins in this removal. See, Notice of Joinder in Removal, filed herewith.

4. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is filed within 30 days after service of the Second Amended Complaint on McClatchy Newspapers and John J. Jordan and, therefore, is timely.

5. Count III of Plaintiff's Second Amended Complaint purports to allege a federal cause of action under the Americans With Disabilities Act 42 U.S.C. § 12101, *et. seq.*). Therefore, this Court has original jurisdiction over these claims pursuant to 28 U.S.C. § 1331, and removal jurisdiction over these claims pursuant to 28 U.S.C. § 1441(a).

6. Counts I and II of Plaintiff's Second Amended Complaint purportedly allege state claims under North Carolina law, including wrongful discharge and tortious interference with employment. This Court has supplemental jurisdiction over these claims pursuant to 28 U.S.C. § 1367(a), and removal jurisdiction over these claims pursuant to 28 U.S.C. §1441(c).

7. Pursuant to 28 U.S.C. § 1446(a), copies of all process and pleadings served upon McClatchy Newspapers, Inc. and John J. Jordan are being filed together with this Notice of Removal.

8. Contemporaneously with the filing of this Notice of Removal, McClatchy Newspapers, Inc. and John J. Jordan are serving this Notice of Removal on Plaintiff, and are serving written notice to the parties and to the Clerk of the Superior Court, County of

Mecklenburg, North Carolina, as required by 28 U.S.C. § 1446(d). A copy of the state court notice, without its exhibits, is attached hereto as Exhibit B.

WHEREFORE, McClatchy Newspapers, Inc. and John J. Jordan request that the above entitled action be removed from the Superior Court of Mecklenburg County, North Carolina to the United States District Court for the Western District of North Carolina, Charlotte Division.

This the 3rd day of July, 2017.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Christopher J. Derrenbacher
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CERTIFICATE OF SERVICE

This is to certify that the undersigned counsel has this date electronically filed ***DEFENDANTS' NOTICE OF REMOVAL*** with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record that have made an appearance in this case and as follows:

S. Luke Largess
Tin, Fulton, Walker & Owen, PLLC
301 East Park Avenue
Charlotte, NC 28203
Attorney for Plaintiff

This the 3rd day of July, 2017.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: */s/ Christopher J. Derrenbacher*

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